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18 and OTTOMOTTO LLC

19 UNITED STATES DISTRICT COURT  
20 NORTHERN DISTRICT OF CALIFORNIA  
21 SAN FRANCISCO DIVISION

22 WAYMO LLC,  
23 Plaintiff,  
24 v.  
25 UBER TECHNOLOGIES, INC.,  
26 OTTOMOTTO LLC; OTTO TRUCKING LLC,  
27 Defendants.  
28

Case No. 3:17-cv-00939-WHA

**DECLARATION OF MICHELLE  
YANG IN SUPPORT OF PLAINTIFF'S  
ADMINISTRATIVE MOTION TO  
FILE UNDER SEAL PORTIONS OF  
ITS RESPONSE TO UBER'S  
SUPPLEMENTAL BRIEF IN  
SUPPORT OF MOTION TO STRIKE  
VAGUE AND OVERBROAD TRADE  
SECRET CLAIMS AND EXHIBITS  
THERE TO (DKT. 1449)**

I, Michelle Yang, declare as follows:

1. I am an attorney at the law firm of Morrison & Foerster LLP. I make this declaration based upon matters within my own personal knowledge and if called as a witness, I could and would competently testify to the matters set forth herein. I make this declaration in support of Plaintiff's Administrative Motion to File under Seal Portions of Its Response to Uber's Supplemental Brief in Support of Motion to Strike Vague and Overbroad Trade Secret Claims and Exhibits Thereto (Dkt. 1449).

2. I have reviewed the following documents and confirmed that only the portions identified below merit sealing:

Document	Portions to Be Filed Under Seal
Waymo's Response to Uber's Supplemental Brief in Support of Motion to Strike ("Response")	Red-outlined Boxes
Exhibit 1	Entirety
Exhibit 2	Entirety
Exhibit 3	Entirety

3. Some of the red-outlined boxes in the Response contain highly confidential information regarding the technical features and development of Uber's LiDAR. This highly confidential information is not publicly known, and its confidentiality is strictly maintained. I understand that disclosure of this information would allow Uber's competitors to obtain a competitive advantage by understanding Uber's technical information and development timeline. Competitors could utilize this knowledge to advance their own sensor technology or adjust their development strategy, such that Uber's competitive standing could be significantly harmed.

4. The entirety of Exhibit 1, as well as some of the red-outlined boxes in the Response, contains highly confidential information regarding a business relationship with a confidential vendor regarding the custom design relating to Uber's LiDAR development, including the negotiation and evaluation of terms and conditions of this business relationship.

1 This highly confidential information is not publicly known, and its confidentiality is strictly  
2 maintained. Disclosure of this information could allow Uber's competitors and potential vendors  
3 to obtain a competitive advantage by understanding how Defendants negotiates with vendors  
4 regarding technical features and LiDAR design, such that they could tailor their own negotiation  
5 strategy and Uber's competitive standing could be significantly harmed.

6 5. Exhibit 1 also contains highly confidential information regarding the identity of a  
7 confidential third-party vendor for a custom design relating to LiDAR. This highly confidential  
8 information is not publicly known and its confidentiality is strictly maintained. Defendants  
9 request this information be kept under seal to protect the confidentiality of a business agreement  
10 with this confidential vendor. Disclosure of the identity of this confidential vendor would allow  
11 Uber's competitors to understand the design input and technical features relating to a custom  
12 LiDAR design of Uber's, such that they could tailor their own development of LiDAR and Uber's  
13 competitive standing could be significantly harmed..

14 6. The entirety of Exhibit 2, as well as some of the red-outlined boxes in the  
15 Response, contains highly confidential information regarding a decision about a technical design  
16 choice. This highly confidential information is not publicly known, and its confidentiality is  
17 strictly maintained. Disclosure of this information could allow competitors to obtain a  
18 competitive advantage over Uber by allowing them to gain insight into the technical features of  
19 Uber's LiDAR sensors, such that Uber's competitive standing could be significantly harmed.

20 7. The entirety of Exhibit 3 is an email exchange between members of Uber's self-  
21 driving team, containing highly confidential information regarding the evaluation of various  
22 technical options for specific features in Uber's LiDAR sensors. This highly confidential  
23 information is not publicly known, and its confidentiality is strictly maintained. I understand that  
24 disclosure of this information would allow Uber's competitors to obtain a competitive advantage  
25 by learning how Uber approaches the technical challenges of LiDAR and evaluates possible  
26 solutions to these challenges, such that they can tailor their own LiDAR development to counter  
27 Uber and Uber's competitive standing could be significantly harmed.

